

REMARKS

Claims 1-38 are pending in this application. Claims 1-38 are rejected. No new matter has been added. It is respectfully submitted that the pending claims define allowable subject matter.

Claims 1, 16 and 25 have again been rejected under 35 U.S.C. § 103(a) as being unpatentable over Hatfield et al. (U.S. Patent 5,779,641), hereafter Hatfield, in view of Hossack et al. (U.S. Patent 6,116,244), hereafter Hossack. Applicant respectfully traverses the 35 U.S.C. § 103(a) rejection.

Claims 1, 16 and 25 each recite vertex entries that define rendering shapes or blending shapes. The cited prior art simply does not describe or suggest rendering shapes or blending shapes defined by vertex entries as recited in claims 1, 16 and 25.

The Office Action states that the response filed by the Applicant has been fully considered, but they are not persuasive. The Office Action asserts, with respect to the cited art, that "although the scan converter/display controller formats multiple images for display, display annotation, graphics overlays and replay of cine loops aid recorded timeline data, that in no way precludes the production and rendering of the graphics overlays onto successive image planes that are stored as separate frames and then superimposed on the last background frame thus making the graphics overlays, that are in the shape of the object, rendering shapes since they are being rendered." (Office Action, pages 17-18).

Applicant respectfully disagrees. In order for one or more references to support a rejection of a claim, the one or more references must describe or suggest each and every claim recitation. Because a reference does not preclude something is not the same as the reference describing or suggesting something. Thus, simply because Hatfield does not preclude the production and rendering of graphics overlays onto successive image planes as asserted in the Office Action, this is not the same as describing or suggesting such a teaching as is required. Hatfield does not provide any such description or suggestion. The term "graphics overlay" is

used only twice in the Hatfield reference and then only in the Background of the Invention. No where in the sections cited by the Office is there any teaching of using the graphics overlays as suggested by the Office. There is no such teaching because Hatfield did not contemplate such a process. The system of Hatfield never describes or suggests graphics overlays as rendering shapes. Moreover, no where in the Hatfield reference are these rendering shapes (or blending shapes) defined by vertex entries.

Applicant respectfully submits that the Office must provide support for the use of the graphics overlays as asserted. However, no such support is provided. Moreover, even assuming arguendo there is a teaching of using the graphics overlays in such a manner, the overlays would not be used for rendering. In particular, the Office asserts that the graphics overlays are "rendering shapes since they are being rendered." However, using this analysis, the graphics overlays would be "rendered" shapes and not "rendering" shapes as the overlays are not used for rendering, but are rendered as part of the image. Simply having overlays on image planes to be rendered is not the same as providing rendering shapes. There is no description or suggestion of the overlays being used as rendering shapes.

Accordingly, the combination of Hatfield et al. and Hossack et al. fails to describe or suggest at least some of the elements recited in independent claims 1, 16 and 25.

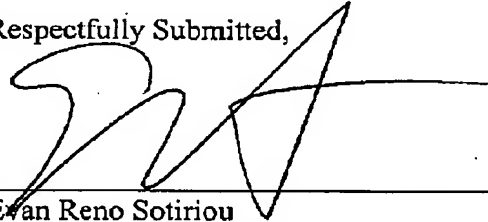
The additional prior art relied on in connection with Hatfield et al. and Hossack et al. to reject the dependent claims simply does not make up for the deficiencies in these references including failing to show the use of rendering shapes to form an image. Accordingly, dependent claims 2-15, 17-24 and 26-38 are likewise patentable over the cited art based at least on these claims dependency from an independent claim, each of which is submitted to be allowable over the prior art.

For at least the reasons set forth above, Applicant respectfully requests that the 35 U.S.C. § 103 rejection of claims 1-38 be withdrawn.

In view of the foregoing remarks, it is respectfully submitted that the prior art fails to teach or suggest the claimed invention and all of the pending claims in this application are

believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited. Should anything remain in order to place the present application in condition for allowance, the Examiner is kindly invited to contact the undersigned at the telephone number listed below.

Respectfully Submitted,

A handwritten signature in black ink, appearing to be 'Evan Reno Sotiriou', written over a horizontal line.

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